

THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

J. DENIS RAWE,)	8:08CV393
)	
Plaintiff,)	
)	
vs.)	MEMORANDUM
)	AND ORDER
LIFE INSURANCE COMPANY)	
OF NORTH AMERICA,)	
)	
Defendant.)	

Pursuant to the previous order of Magistrate Judge Piester (filing [17](#)), this case shall be resolved as if cross-motions for summary judgment have been filed. The administrative record has been filed (filing [18](#)), and the parties are in the process of briefing the issues. This case will be ripe for disposition on February 26, 2009.

Pending before the court is Plaintiff's motion for leave to submit additional evidence (filing [19](#)), to which Defendant has not objected. Therefore, Plaintiff's motion shall be granted.

IT IS ORDERED:

1. Plaintiff's unopposed motion for leave to submit additional evidence (filing [19](#)) is granted;
2. Plaintiff shall separately file the affidavit and attached evidence referenced in Plaintiff's motion (filing [19](#)) as an Index of Evidence pursuant to the requirements of NECivR 7.1(b)(2).

January 22, 2009.

BY THE COURT:
s/ Richard G. Kopf
United States District Judge